

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW JERSEY

**UNITED STATES OF AMERICA**

**Plaintiff**

**vs.**

**NJ Rapidcare Ambulance LLC**

**Defendant**

**CIVIL NO.**

**COMPLAINT**

The United States of America, on behalf of its Agency, the Department of Treasury, by its specially appointed counsel KML Law Group, P.C., represents as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. 1345.
2. The last-known address of the Defendant, NJ Rapidcare Ambulance LLC, is 1321 Fayette Place, Plainfield, NJ 07060.
3. Defendant owes Plaintiff the principal sum of \$278,623.77, plus interest of \$131,067.51, for a total of \$409,691.28. A true and correct copy of the Certificate of Indebtedness is attached as Exhibit “A” (“Certificate of Indebtedness”).
4. Demand has been made upon Defendant by Plaintiff for the sum due but the amount due remains unpaid.

WHEREFORE, the plaintiff demands judgment against Defendant as follows;

- (A) In the amount of \$409,691.28 with interest from April 10, 2019.

(B) Plus filing fee allowed pursuant to 28 U.S.C., Section 1914 in the sum of \$150.00.

(C) Interest to accrue at the rate of 10.75% to the date of judgment..

(D) Interest from the date of judgment at the legal rate of interest in effect on the date of judgment until paid in full.

(E) Costs of suit.

Notice is hereby given to Defendant that Plaintiff intends to seek satisfaction of any judgment rendered in it favor in this action from any debt accruing.

United States of America by and through  
Its specially assigned counsel  
KML Law Group, P.C.

/s/Rebecca A. Solarz, Esq.

Rebecca A. Solarz, Esquire  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
Phone: 215-627-1322  
[rsolarz@kmlawgroup.com](mailto:rsolarz@kmlawgroup.com)

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**UNITED STATES OF AMERICA**

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**vs.**

**NJ Rapidcare Ambulance LLC**

**Defendant**

**CIVIL NO.**

**EXHIBITS**

**“A” CERTIFICATE OF INDEBTEDNESS**

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

The United States of America

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

KML Law Group, P.C. – Rebecca A. Solarz, Esquire  
701 Market Street, Suite 5000, Philadelphia, PA 19106  
215-627-1322; rsolarz@kmlawgroup.com

**DEFENDANTS**

NJ Rapidcare Ambulance LLC  
1321 Fayette Place  
Plainfield, NJ 07060

County of Residence of First Listed Defendant Union  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- X 1 U.S. Government Plaintiff      3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant      4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	1	X	Incorporated or Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated and Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment x 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise	<b>PERSONAL INJURY</b> 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> 365 Personal Injury - Product Liability 367 Health Care/Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage 385 Property Damage Product Liability	625 Drug Related Seizure of Property 21 USC 881 690 Other  <b>LABOR</b> 710 Fair Labor Standards Act 720 Labor/Management Relations 740 Railway Labor Act 751 Family and Medical Leave Act 790 Other Labor Litigation 791 Employee Retirement Income Security Act  <b>IMMIGRATION</b> 462 Naturalization Application 465 Other Immigration Actions	422 Appeal 28 USC 158 423 Withdrawal 28 USC 157  <b>PROPERTY RIGHTS</b> 820 Copyrights 830 Patent 840 Trademark  <b>SOCIAL SECURITY</b> 861 HIA (1395ff) 862 Black Lung (923) 863 DIWC/DIWW (405(g)) 864 SSID Title XVI 865 RSI (405(g))  <b>FEDERAL TAX SUITS</b> 870 Taxes (U.S. Plaintiff or Defendant) 871 IRS—Third Party 26 USC 7609	375 False Claims Act 400 State Reapportionment 410 Antitrust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit 490 Cable/Sat TV 850 Securities/Commodities/Exchange 890 Other Statutory Actions 891 Agricultural Acts 893 Environmental Matters 895 Freedom of Information Act 896 Arbitration 899 Administrative Procedure Act/Review or Appeal of Agency Decision 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	440 Other Civil Rights 441 Voting 442 Employment 443 Housing/Accommodations 445 Amer. w/Disabilities Employment 446 Amer. w/Disabilities Other 448 Education	<b>Habeas Corpus:</b> 463 Alien Detainee 510 Motions to Vacate Sentence 530 General 535 Death Penalty <b>Other:</b> 540 Mandamus & Other 550 Civil Rights 555 Prison Condition 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- 1 Original Proceeding      2 Removed from State Court      3 Remanded from Appellate Court      4 Reinstated or Reopened      5 Transferred from Another District (specify)      6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. 1345

Brief description of cause:

**Enforced Collections**

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes **X** No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

12/17/19

SIGNATURE OF ATTORNEY OF RECORD

**Rebecca A. Solarz, Esq.**

FOR OFFICE USE ONLY



U.S. DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, DC 20227

ACTING ON BEHALF OF  
U.S. HEALTH & HUMAN SERVICES  
CERTIFICATE OF INDEBTEDNESS

NJ Rapidcare Ambulance LLC  
1321 Fayette Place  
Plainfield, NJ 07060

EIN: [REDACTED]

I hereby certify, as part of my duties with the U.S. Department of the Treasury (Treasury), including referring matters to the U.S. Department of Justice (DOJ) for litigation, I am a custodian of records of certain files sent by the U.S. Department of Health and Human Services (HHS), Centers for Medicare and Medicaid Services (CMS) to Treasury for collection actions. As a custodian of records for Treasury, I have care and custody of records relating to the ten (10) debts owed by NJ Rapidcare Ambulance LLC, (DEBTOR) to HHS.

The information contained in this Certificate of Indebtedness is based on documents created by an employee or contractor of HHS based on his/her knowledge at or near the time the events were recorded, including the review of the delinquency of overpayments, or by an employee or contractor of Treasury based on his/her knowledge at or near the time the events were recorded, including the review of the delinquency of overpayments. Treasury's regular business practice is to receive, store and rely on the documents provided by HHS, when, debts are referred to Treasury for collection activities, including litigation.

Further, I certify that I am familiar with Treasury's record keeping practices, including the receipt of files from HHS.

[REDACTED] – **Case #1**

On October 23, 2014, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$10,627.70 with an annual interest rate of 10.75%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.

HHS referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on December 16, 2016.

On March 21, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$10,627.70 with daily interest of \$3.13 as of April 10, 2019.

Principal:	\$ 10,627.70
Interest (@10.75%):	\$ 5,031.67
<b>Total:</b>	<b>\$ 15,659.37</b>



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**– Case #2**

On October 27, 2014, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$16,508.48 with an annual interest rate of 10.75%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.

HHS referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on December 23, 2016.

On March 21, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$16,508.48 with daily interest of \$4.86 as of April 10, 2019.

Principal:	\$ 16,508.48
Interest (@10.75%):	\$ 7,782.15
<b>Total:</b>	<b>\$ 24,290.63</b>

**Case #3**

On October 29, 2014, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$30,051.82 with an annual interest rate of 10.75%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.

HHS referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on December 16, 2016.

On March 21, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$30,051.82 with daily interest of \$8.85 as of April 10, 2019.

Principal:	\$ 30,051.82
Interest (@10.75%):	\$ 14,231.94
<b>Total:</b>	<b>\$ 44,283.76</b>



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**– Case #4**

On October 30, 2014, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$32,125.68 with an annual interest rate of 10.75%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.

HHS referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on December 23, 2016.

On March 21, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$32,125.68 with daily interest of \$9.46 as of April 10, 2019.

Principal:	\$ 32,125.68
Interest (@10.75%):	\$ 15,147.30
<b>Total:</b>	<b>\$ 47,272.98</b>

**– Case #5**

On October 31, 2014, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$11,952.56 with an annual interest rate of 10.75%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.

HHS referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on December 23, 2016.

On March 21, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$11,952.56 with daily interest of \$3.52 as of April 10, 2019.

Principal:	\$ 11,952.56
Interest (@10.75%):	\$ 5,635.53
<b>Total:</b>	<b>\$ 17,588.09</b>

**– Case #6**

On October 31, 2014, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$85,897.65 with an annual interest rate of 10.75%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.



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HHS referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on December 23, 2016.

On March 21, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$85,897.65 with daily interest of \$25.29 as of April 10, 2019.

Principal:	\$ 85,897.65
Interest (@10.75%):	\$ 40,494.60
<b>Total:</b>	<b>\$ 126,392.25</b>

**– Case #7**

On November 4, 2014, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$54,073.76 with an annual interest rate of 10.75%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.

HHS referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on January 6, 2017.

On March 21, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$54,073.76 with daily interest of \$15.92 as of April 10, 2019.

Principal:	\$ 54,073.76
Interest (@10.75%):	\$ 25,271.74
<b>Total:</b>	<b>\$ 79,345.50</b>

**– Case #8**

On November 6, 2014, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$19,789.84 with an annual interest rate of 10.75%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.

HHS referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on January 6, 2017.





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On March 21, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$19,789.84 with daily interest of \$5.82 as of April 10, 2019.

Principal:	\$ 19,789.84
Interest (@10.75%):	\$ 9,249.36
<b>Total:</b>	<b>\$ 29,039.20</b>

██████████ – Case #9

On November 7, 2014, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$11,576.50 with an annual interest rate of 10.75%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.

HHS referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on January 6, 2017.

On March 21, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$11,576.50 with daily interest of \$3.41 as of April 10, 2019.

Principal:	\$ 11,576.50
Interest (@10.75%):	\$ 5,410.01
<b>Total:</b>	<b>\$ 16,986.51</b>

██████████ – Case #10

On November 10, 2014, HHS determined the DEBTOR delinquent for an overpayment in the amount of \$6,019.78 with an annual interest rate of 10.75%, for CMS services rendered. HHS sent the DEBTOR letters advising of the overpayment and requesting payment to no avail.

HHS referred the claims to Treasury's Bureau of the Fiscal Service, Debt Management Services (DMS) for litigation and collection on January 6, 2017.

On March 21, 2019, DMS referred the claim to DOJ for litigation and collection in the amount due of \$6,019.78 with daily interest of \$1.77 as of April 10, 2019.

Principal:	\$ 6,019.78
Interest (@10.75%):	\$ 2,813.21
<b>Total:</b>	<b>\$ 8,832.99</b>



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The balance stated in the case listed above is current as of April 10, 2019, including any applicable interest, penalties, administrative fees, and DMS & DOJ fees (pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), (7); 31 C.F.R. 285.12(j) and 31 C.F.R. 901.1(f); and 28 U.S.C. 527, note).

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the HHS and information contained in Treasury's records.

4/11/2019

X *Natalie R. Stubbs*

Signed by: Natalie R. Stubbs

Natalie Stubbs  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service